



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/277,198	03/26/99	ASAO	Y Q53565

MMC2/0406
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EXAMINER

LABALLE, C

ART UNIT

PAPER NUMBER

2834

DATE MAILED:

04/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/277,198

Applicant(s)

ASAO, YOSHIHITO

Examiner

Clayton E. LaBalle

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 5-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☒ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 14) ☐ Notice of References Cited (PTO-892)
- 15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 17) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: _____.

Art Unit: 2834

Applicant's election without traverse of claims 1-4 in Paper No. 8 is acknowledged.

Claims 5-115 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No.8.

After consideration of Applicant's response the examiner makes the following rejections:

Claims 2-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitations set forth in claims 2-4 appear to be directed to the stator core prior to the bending it into a cylindrical shape. For example, the teeth on the core would not extend perpendicular to a longitudinal direction on the finished core, nor would the teeth be substantially parallel in the finished product. The coils would not maintain a planar shape once the core is bent either. The coils would curve slightly to follow the circumference of the core. It is unclear whether Applicant is trying to claim the finished stator or not.

Art Unit: 2834

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kawai ('590).

Kawai discloses the alternator with a stator core having a plurality of slots (between teeth 35), pre-formed coils (6) having axially parallel portion located in the slots and bridge portions connecting the parallel portions at the end of the core. From figures 1 and 2, it appears that the inner portion of the coil contacts the core so that the end-turns of the coils are densely packed.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai.

Kawai discloses the invention essentially as claimed except for the particulars of the core prior to final assembly. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have formed the core in such a manner

Art Unit: 2834

prior to the final assembly since it was known in the art that to from the core of machines from bands of magnetic material laminated together. Those bands having teeth protruding perpendicularly from a band portion. Applicant's claims do not set forth structural differences between the finished stator and that of the prior art. The method by which the stator is made is not germane to the patentability of the apparatus claims and have not been given much patentable weight.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clayton E. LaBalle whose telephone number is (703) 308-0519. The examiner can normally be reached on Monday-Thursday from 6:30 AM-4:00 PM EST and every other Friday from 6:30 AM-3:00 PM EST. The above number is equipped with voice mail. The examiner can also be reached via E-mail at Clayton.Laballe@uspto.gov to schedule an interview.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez, can be reached on (703) 308-1371. The fax phone number for Technology Center 2800 is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-0956.



Clayton E. LaBalle
Primary Examiner
Art Unit 2834
April 04, 2000